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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,171	02/02/2001	Sasa Buvac	S00-171	2207

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/776,171

Applicant(s)

BUVAC ET AL.

Examiner

Cong-Lac Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 12, 19, 21, 24-30, 55 and 56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 12, 19, 21, 24-26, 28-30, and 56 is/are rejected.
- 7) ☒ Claim(s) 27 and 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: amendment filed 2/14/05 and 4/14/05 to the application filed on 2/2/01, priority 2/3/00.
2. Claims 5-11, 13-18, 20, 22-23, 31-54 are canceled.
3. Claims 55-56 are added.
4. Claims 1-4, 12, 19, 21, 24-30, 55-56 are pending in the case. Claims 1, 24, 31, 32 are independent claims.
5. The rejection of claims 21 under 35 U.S.C. 102(e) as being anticipated by Okamoto has been withdrawn in view of Applicants' argument.
6. The rejection of claims 3 and 29 under 35 U.S.C. 103(a) as being unpatentable over Okamoto in view of Hennings has been withdrawn in view Applicants' argument.
7. The rejection of claim 19 under 35 U.S.C. 103(a) as being unpatentable over Okamoto in view of Microsoft Word 2000 has been withdrawn in view of the amendment.
8. The rejections of claims 24-28, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto in view of LaStrange have been withdrawn in view of Applicants' argument.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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10. Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Regarding claim 21, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-2, 4 remain rejected under 35 U.S.C. 102(e) as being anticipated by Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99).

Regarding independent claim 1, Okamoto discloses:

- removing user-selected content from a parent context (**col 7, lines 37-45**: “.. removing the associated source-visual element 70 (figure 5) from the original view ...”; **figures 5-6, 9, 13**: the selected text 70 “History is outdated ... heroin” is removed from the parent page 60)

- creating and automatically naming a new context comprising said user-selected content (**col 1, line 43 to col 2, line 12**: "... (c) *automatically creates new documents on the fly as needed*; ... (e) *automatically titles newly created documents* .. "; **figure 13**: the new context comprising the selected content "History is outdated ... heroin" is created and named "Favorite quotes"; **figure 15C, #318**: "*Create new document*; move selected source object to new document; create hyperlink from HVE to new document; *label new document* with representation of HVE.."; note: HVE stands for hyperlink visual elements)
- inserting a reference to said new context in said parent context, wherein said reference comprises a uniquely identifying function of a name of said new context (**figures 8A-D, col 4, line 36 to col 5, line 36**: inserting the hyperlink feature to the text "Favorite quotes" in the parent sticky6 to make it a hyperlink, where the hyperlink is equivalent to the reference and the hyperlink comprises the name "Favorite quotes" of the sticky 78, which is equivalent to a new context of the claimed invention)

Regarding claim 2, which is dependent on claim 1, Okamoto discloses that said parent context and said new context are selected from the group consisting of files, web pages, windows, frames, buffers, and sticky notes (figure 13).

Regarding claim 4, which is dependent on claim 1, Okamoto discloses that the reference is a hyperlink (figures 8D, 9: the "Favorite quotes" is a hyperlink).

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14. Claim 56 is rejected under 35 U.S.C. 102(e) as being anticipated by Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99).

Regarding claim 56, which is dependent on claim 1, Okamoto discloses web authoring, hypertext editing, and web logging (col 1, lines 43-61: creating and editing hyperlinked documents shows hypertext editing and web authoring since hypertext documents are used in the web, also since accessing to the web requires logging, web logging is implied).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

17. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99, priority 8/20/98) in view of Ong (US Pat App Pub No. 2005/0108626 A1, 5/19/05, filed 12/16/04, priority 12/1/98).

Regarding claim 3, which is dependent on claim 1, Okamoto does not disclose that said name comprises a uniquely identifying function of a timestamp at which said new context creation occurs.

Ong discloses including a timestamp into a URL of a web page to facilitate the historical research that provides information with valid date and time ([0008], [0023], [0040]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ong into Okamoto since Ong discloses comprising a timestamp in a URL for showing the creation time of the web page providing the advantage to incorporate into Okamoto for easily tracking when changes was made to the web document.

18. Claim 12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99, priority 8/20/98) in view of Hennings et al. (US Pat No. 6,763,496 B1, 7/13/04, filed 3/31/99).

Regarding claim 12, which is dependent on claim 1, Okamoto does not disclose providing an editing means by which a user views and edits said new context in dependence on selection of said reference by said user, wherein said editing means is

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provided without requiring said user to ever previously specify a linked text for said reference.

Hennings discloses:

- an editing means by which a user views and edits said new context (**col 15, lines 36-51**: the fact that the Caribbean.htm linked from the Cruises.htm document is modified indicates that Hennings includes an editing means for viewing and editing the linked document which is considered equivalent to a new context as claimed since the new context is merely a linked document linked to a parent document)
- said editing means is provided in dependence on selection of said reference by said user (**figure 8, col 15, lines 36-51**: the fact that the Caribbean.htm is modified implies that a user has to select a hyperlink that links to the document the user wants to modify; in other words, editing means is provided based on the user selection of the hyperlink)
- the editing is provided without requiring said user to ever previously specify a linked text for said reference (**col 15, lines 36-51, figure 5**: modifying the Caribbean.htm implies that a user selects the hyperlink Caribbean to open the Caribbean.htm document to edit; the editing method, therefore, only requires the user to *select a given hyperlink in a web page*, it does not require the user to specify a linked text to the reference)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Hennings into Okamoto since Hennings discloses

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providing the editing means without requiring the user to specify a linked text to the reference providing the advantage to incorporate to Okamoto to effectively and easily changing the linked document as desire without requiring to much detailed performing.

19. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99, priority 8/20/98) in view of Vining et al. (US Pat App Pub No. 2005/0135662 A1, 6/23/05, filed 8/31/04, priority 8/9/99).

Regarding claim 19, which is dependent on claim 1, Okamoto does not disclose providing an editing means and recording user-inserted linked text of said selected reference in a timestamped history list or log.

Vining discloses recording the changes with timestamp to a report as a history of the report ([0064], [0091]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Vining into Okamoto since Vining records the changes with associated timestamp of a report as a history of the report providing the advantage to incorporate into Okamoto for recording any insertion made to a document with the timestamp in a history of the document that helps easily tracking the changes to the document as well as restoring the deleted text later on.

20. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto as applied to claim 1 above and further in view of Manolis et al. (US Pat No. 6,583,799 B1, 6/24/03, filed 11/29/99).

Regarding claim 21, which is dependent on claim 1, Okamoto does not disclose creating an icon representing said new context when said user-selected content is dragged from a parent editing means and dropped at an alternate location, such as Desktop or a folder, wherein said icon is created in said alternate location.

Manolis discloses representing distribution aliases as graphic symbols (e.g. icons) with which objects can be associated (e.g. by dragging digital objects and dropping them on a graphic symbol) (col 4, lines 1-17).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Manolis into Okamoto since Manolis discloses dragging and dropping digital objects on an icon, thus implies that said icon is created for representing the dropped object at the dropped location. The creating of said icon in Manolis provides the advantage to incorporate into Okamoto for dragging the user-selected content and dropping it into a created icon in an alternate location and for easily recognizing the content object via the graphic symbol of the icon.

21. Claims 24-28, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto (US Pat No. 6,572,660 B1, 6/3/03, filed 8/18/99, priority 8/30/98) in view of Coleman et al. (US Pat No. 6,262,732 B1, 7/17/01, filed 3/24/94).

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Regarding independent claim 24, Okamoto discloses:

- opening a viewer containing contents of a selected version of said child context, wherein said contents are selected in part in dependence on a user-selected reference in said parent context to said child context (**figures 5, 8D, 13**: the view of the hyperlink document "Favorite quotes" 78 in figure 13 is opened containing contents of a selected version of the child context where said contents are selected as in 70 in figure 5 in dependence on a user-selected reference Favorite quotes 74 in the parent context 60 in figure 8D, to the child context Favorite quotes 78 as seen in figure 13; **col 8, lines 59-64**: "...When the primary mouse *button 12 is depressed while the pointer is over the hyperlink-visual element 74, views associated with each hyperlinked documents 76 and 78 are displayed in separate hypermedia processing windows*")

Okamoto does not disclose creating and saving a new version of said child context comprising said contents.

Coleman discloses editing a sticky note where a sticky note can be an annotation to be added to or removed from a document (col 13, line 57 to col 14, line 10, col 8, lines 30-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Coleman into Okamoto since Coleman has the capability of editing a sticky note providing the advantage to incorporate into Okamoto to modify a linked document in form of a sticky note as in figure 13 and to make a new version of

said document as well as save it for later use in addition to merely creating the linked document as in Okamoto.

Regarding claim 25, which is dependent on claim 24, Okamoto discloses that said selected version is a most recent version of said child context (**figures 4-5**: since the selected version of text in 70 in figure 5 is the same as the text 64 in the original text 60 in figure 4, the selected version in 70 is the most recent version of said child context).

Regarding claim 26, which is dependent on claim 24, Okamoto discloses that the selected version is selected by said user (figures 4-5).

Regarding claim 28, which is dependent on claim 24, Okamoto discloses that said viewer is named by linked text associated with said reference (**figure 13**: the viewer 78 of the child context is named "Favorite quotes" by linked text associated with the reference Favorite quotes 74).

Regarding claim 30, which is dependent on claim 24, Okamoto does not disclose providing editing means for said user to edit said contents in said viewer.

Coleman discloses providing editing means for said user to edit said contents in said viewer (col 13, line 57 to col 14, line 10, col 8, lines 30-52: text editor for editing the sticky note where the sticky note can be an annotation to be added to or removed from a document).

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Coleman into Okamoto since Coleman provides the text editor for editing the sticky note where the sticky associated with a document providing the advantage to incorporate into Okamoto to give a user the capability to edit the content in a viewer instead of merely displaying said content to said user.

22. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto in view of Coleman as applied to claim 24 above and further in view of Ong (US Pat App Pub No. 2005/0108626 A1, 5/19/05, filed 12/16/04, priority 12/1/98).

Regarding claim 29, which is dependent on claim 24, Okamoto and Coleman do not disclose that the version of said child context are named by unique identifying functions of timestamps at which said version are created.

Ong discloses including a timestamp into a URL of a web page to facilitate the historical research that provides information with valid date and time ([0008], [0023], [0040]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ong into Okamoto and Coleman since Ong discloses comprising a timestamp in a URL for showing the creation time of the web page providing the advantage to incorporate into Okamoto for easily tracking the creation and the update order of a document via the timestamp associated with the document.

Allowable Subject Matter

23. Claims 27, 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

24. Applicant's arguments with respect to claims 1-4, 12, 19, 21, 24-30 have been considered but are moot in view of the new ground(s) of rejection.

Regarding independent claim 1 and its dependent claims 2, 4, 55-56, Applicants argue that the drag and link in Okamoto clearly differs in structure from claim 1 since it requires exactly two user- inputs before it can be executed, whereas claim 1 recites only one (Remarkd, page 7).

Examiner respectfully disagrees.

Claim 1 recites removing user-selected content from a parent content, creating and automatically naming a new context comprising said user-selected content, and inserting a reference to said new context in said parent context, wherein said reference comprises a uniquely identifying function of a name of said new context.

It was well known in the art that dragging data is removing said data from one place to another place, and dropping is putting or inserting the dragged data into a place.

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As long as the drag and link in Okamoto shows said removing, creating and naming, and inserting steps, Okamoto discloses the claimed limitations. It does not matter that the drag and link in Okamoto requires two-user inputs or one user-input.

Regarding claim 3, Applicants argue that Henning does not disclose or suggest using the timestamps to name the linked document (Remarks, page 11).

Examiner agrees.

Henning is withdrawn from the rejection.

Ong discloses the hyperlink with timestamps where said hyperlink is the name of the linked document (see the rejection above).

Regarding claim 12, the limitations of the canceled claims 10-11 are added to the claimed limitation. Claim 12, thus, remain rejected based on the rejections of claims 10-11 and the rejection of the original claim 12.

Regarding claim 19, Applicants argue that Okamoto and Word do not disclose recording user-inserted linked text in a timestamps history list or log to track the changes made to the linked text (Remarks, page 13).

Examiner agrees.

Vining discloses the argued feature. See the rejection above.

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Regarding claim 21, Applicants argue that Okamoto does not disclose creating an icon representing said new context when said user-selected content is dragged from a parent editing means since the "little rectangle in the pointer 66" is not an icon representing a new context (Remarks, page 14).

Examiner agrees.

Manolis discloses the argued feature. See the rejection above.

Regarding claims 24-28, and 30, Applicants argue that LaStrange neither discloses modifying a child context, nor "creating and saving a new version of" it since it was well known that a conventional browser only displays a web page and does not allow it be modified (Remarks, page 16).

Examiner agrees.

Coleman discloses and suggests the argued feature. See the rejection above.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mohr et al. (US Pat No. 6,826,727 B1, 11/30/04, filed 11/24/99).

Nishimura et al. (US Pat No. 6,816,870 B1, 11/9/04, filed 5/18/00).

Moran et al. (US Pat No. 6,509,912 B1, 1/21/03, filed 1/12/98).

Sherman et al. (US Pat No. 6,233,591 B1, 5/15/01, filed 5/6/97).

Ong (US Pat App Pub No. 2002/0156800 A1, 10/24/02, filed 12/1/98).

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Vining et al. (US Pat App Pub No. 2002/0131625 A1, 9/19/02, filed 11/21/01, priority 8/9/99).

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 703-308-5465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh
Examiner
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6/29/05